

REMARKS

By this Amendment, claims 24 and 25 are canceled. Claim 1, 2, 6, 7, 10, 11, 14, 19 and 23 are amended to more clearly recite the patentable limitations contained therein. Claims 3-5, 8, 9, 12, 13, 15-18 and 20-22 remain as originally submitted with the application filed on January 27, 2004. As a result, claims 1-23 remain pending in the application.

Claim Rejections – 35 USC § 102

Pursuant to paragraph 1 of the FINAL Office Action mailed on January 27, 2006, claims 1, 12-14 and 22-24 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,621,975 B2 (Laporte et al.). The Examiner asserts that Laporte et al. teaches an optical connection terminal comprising all of the limitations of the rejected claims. See Office Action at pages 2-3.

Applicants respectfully traverse the rejection. Contrary to the Examiner's assertions, Laporte et al. do not identically disclose each and every limitation of independent claims 1, 14 and 23. Most particularly, Laporte et al. fails to identically disclose "a plurality of connector ports *provided in an exterior wall of one of the base and the cover*" with "each connector port *extending through the exterior wall,*" as recited in claim 1; OR "a plurality of connector ports *disposed through one of the base panel and the cover panel*" with "each connector port adapted to receive one of the fiber optic connectors [disposed within the interior cavity] from inside the terminal and a connectorized end of one of the fiber optic drop cables *from outside the terminal,*" as recited in claim 14; OR "a plurality of connector ports *disposed through the planar panel of the cap* and adapted to receive one of the fiber optic connectors from inside the base and the corresponding connectorized drop cable *from outside the base,*" as recited in claim 23. Instead, optical fibers of the distribution cable are spliced to pigtails provided within the Laporte et al. terminal. Similarly, the individual optical fibers of the drop cables are spliced to pigtails within the terminal. Pigtails spliced to the distribution cable fibers are optically connected to respective

pigtails spliced to drop cable fibers through conventional fiber optic adapters 48 disposed *within the interior cavity* defined by the base and the cover of the terminal. Furthermore, the Laporte et al. terminal is positioned over the mid-span access location of the distribution cable. Therefore, Laporte et al. fail to identically disclose a stub cable (i.e., one of the pigtails?) comprising a plurality of optical fibers and having a first end *received within a cable stub port* (only the distribution cable and the drop cables of Laporte et al. are received within cable ports) with fiber optic connectors mounted on the ends of the optical fibers and a second end with the optical fibers optically connected to the distribution cable. In the Laporte et al. terminal, each pigtail is disposed entirely within the interior cavity and has a single optical fiber having a connector mounted upon a first end and a second end optically coupled to a corresponding optical fiber of the distribution cable. Thus, independent claims 1, 14 and 23 are patentable. Claims 12 and 13 depend directly or indirectly from patentable base claim 1, and thus, are likewise allowable for at least the same reasons. Claim 22 depends directly or indirectly from patentable base claim 14, and thus, is likewise allowable for at least the same reasons. Claim 24 is canceled. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claims 1, 12-14 and 22-24 under 35 U.S.C. 102(e).

Claim Rejections – 35 USC § 103

Pursuant to paragraphs 2-4 of the FINAL Office Action, claims 1-11, 14-21 and 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable (obvious) over United States Patent No. 5,892,870 (Fingler et al.) in view of United States Patent Application No. 2002/0079697 (Griffioen et al.) and other cited references. The Examiner asserts that the claimed invention would have been obvious to one of ordinary skill in the art given the combined teachings of the cited references. See Office Action at pages 3-6.

Applicants respectfully traverse the rejection with respect to independent claims 1 and 14, as amended herein. In particular, Fingler et al. discloses fiber optic cable connector 200 having a cable 360 comprising a plurality of optical fibers connected at a first end of the cable within the connector 200 to a plurality of adapters 340. The second end of the multi-fiber cable 360 is

optically connected to a server or other optical equipment within an indoor telecommunications closet. The adapters 340 extend through the connector 200 to receive a plurality of fiber optic patch cords (i.e., jumpers) 440 to interconnect the server with other pieces of equipment within the telecommunications closet or a building. Griffioen et al. discloses a connector comprising a plurality of splittable collars for branching one or more buffer tubes from a distribution cable. The Examiner asserts that one of ordinary skill in the art would be motivated to provide a mid-span access as taught by Griffioen et al. in a cable entering a cable connector of the type taught by Fingler et al. Applicants respectfully submit that there is no such teaching, suggestion or motivation provided in the prior art to combine the teaching of the cited references as proposed by the Examiner. The Fingler et al. cable connector is used to optically connect a plurality of pieces of equipment in a building to a common server through a plurality of patch cords received in adapters mounted on the ends of the optical fibers of a multi-fiber cable connected to the server. Column 5, lines 1-8. Griffioen et al. merely discloses a device for branching one or more buffer tubes containing optical fibers from a main fiber optic cable. There is no teaching, suggestion or motivation in the references that would inspire one of ordinary skill to apply the teaching of a mid-span access and a branching connector to utilize a cable connector in the outside plant environment to interconnect optical fibers of pre-connectorized drop cables with optical fibers accessed and removed from a distribution cable. Instead, the Examiner has impermissibly applied hindsight with knowledge of the Applicants' own invention to make the proposed combination. Thus, Applicants submit that at least independent claims 1 and 14 are patentable. Claim 25 is cancelled. The remaining rejected claims depend directly or indirectly from patentable base claims 1 and 14, are thus, are likewise allowable for at least the same reasons. Accordingly, Applicants respectfully request the Examiner to withdraw the rejections to claims 1-11, 14-21 and 25 under 35 U.S.C. §103(a).

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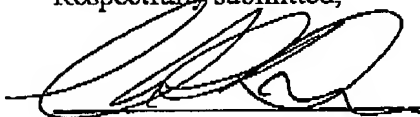
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CONCLUSION

In view of the foregoing amendments and accompanying remarks, Applicants respectfully request the Examiner to withdraw the rejections to the claims and to reconsider the application as amended herein. This Request For Continued Examination and Amendment is timely filed, fully responsive to the FINAL Office Action and places the application in condition for immediate allowance. Accordingly, Applicants respectfully request the Examiner to issue a Notice of Allowability for the pending claims 1-23. Applicants encourage the Examiner to contact the undersigned directly to further the prosecution of any remaining issues, and thereby expedite allowance of the application. This Amendment does not result in more independent or total claims than paid for previously (i.e., 3 independent claims and 23 total claims). Accordingly, no fee for excess claims is believed to be due. The Examiner is hereby authorized to charge any fee due in connection with the filing of this response, including any excess claims fee, to Deposit Account No. 19-2167. If a fee is required for an extension of time under 37 C.F.R. §1.136 not already accounted for, such an extension is requested and the fee should likewise be charged to Deposit Account No. 19-2167. Any overpayment should be credited to Deposit Account No. 19-2167.

Respectfully submitted,



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